

**ADDENDUM 2**

**Loan No. and Title** : **Applied For;  
Kolkata Environmental Improvement Investment Program (KEIIP) – Project 2**

**Contract No. and Title** : **KEIIP/NCB/TR-2/WS18/2016-17**

**Laying of Transmission Main from Pumping Stations to proposed 3 Nos. Elevated Service Reservoirs (ESRs) at Ramkantapur, Malpara, Charaktala and Construction of the 3 ESRs including Laying of Distribution Network with House Service Connection within the Command Area of the 3 ESRs for Water Supply in Joka and adjoining areas.**

Sl. No	Description and Reference Clause of Bid document	Details of Addendum 2
1	Section 8 Particular Conditions of Contract Clause No.15.6 : Corrupt and Fraudulent Practices	Replace the existing clause 15.6 : Corrupt and Fraudulent Practices of Section 8 Particular Conditions of Contract  By  'For the purposes of this Sub Clause:  ADB's Anticorruption Policy requires Borrowers (including beneficiaries of ADB-financed activity), as well as Contractors, Subcontractors, manufacturers, and Consultants under ADB-financed contracts, observe the highest standard of ethics during the procurement and execution of such contracts. In pursuance of this policy, ADB  (a) defines. for the purposes of this provision, the terms set forth below as follows:  (i) "corrupt practice" means the offering, giving, receiving or soliciting, directly or indirectly, anything of value to influence improperly the actions of another party;  (ii) "fraudulent practice" means any act or omission including a misrepresentation, that knowingly or recklessly misleads, or

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		<p>attempts to mislead, a party to obtain a financial or other benefit or to avoid an obligation;</p> <p>(iii) "coercive practice" means impairing or harming, or threatening to impair or harm, directly or indirectly, any party or the property of the party to influence improperly the actions of a party;</p> <p>(iv) "collusive practice" means an arrangement between two or more parties designed to achieve an improper purpose, including influencing improperly the actions of another party;</p> <p>(v) "obstructive practice" means (a) deliberately destroying falsifying, altering, or concealing of evidence material to an ADB investigation; (b) making false statements to investigators in order to materially impede an ADB investigation; (c) failing to comply with requests to provide information, documents or records in connection with an Office of Anticorruption and Integrity (OAI) investigation; (d) threatening, harassing, or intimidating any party to prevent it from disclosing its knowledge of matters relevant to the investigation or from pursuing the investigation, or (e) materially impeding ADB's contractual rights of audit or access to information; and</p> <p>(vi) "integrity violation" is any act which violates ADB's Anticorruption Policy, including (i) to (v) above and the following: abuse, conflict of interest, violations of ADB sanctions, retaliation against whistle blowers or witnesses, and other violations of ADB's Anticorruption Policy, including failure to adhere to the highest ethical standard.</p> <p>(b) will reject a proposal for award if it determines that the Bidder recommended for award has, directly or through an agent engaged in corrupt, fraudulent, collusive, coercive, or obstructive practices or other integrity violations in competing for the Contract;</p>



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		<p>(c) will cancel the portion of the financing allocated to a contract if it determines at any time that representatives of the borrower or of a beneficiary of ADB-financing engaged in corrupt, fraudulent, collusive, coercive, or obstructive practices or other integrity violations during the procurement or the execution of that contract, without the borrower having taken timely and appropriate action satisfactory to ADB to remedy the situation; and</p> <p>(d) Will impose remedial actions on a firm or an individual, at any time, in accordance with ADB's Anticorruption Policy and Integrity Principles and Guidelines (both as amended from time to time), including declaring ineligible, either indefinitely or for a stated period of time, to participate" in ADB-financed, administered, or supported activities or to benefit from an ADB-financed, administered, or supported contract, financially or otherwise, if it at any time determines that the firm or individual has. Directly or through an agent, engaged in corrupt, fraudulent, collusive, coercive, or obstructive practices or other integrity violations.'</p>

